

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MARCELLUS D. JONES,
(PLAINTIFF)

4: CV18-2352

VS
JOHN WITZEL ET AL
(DEFENDANTS)

FILED
WILLIAMSPORT
DEC 07 2018
PER
DEPUTY CLERK

INITIAL CIVIL COMPLAINT

I. JURISDICTION & VENUE

- 1) THIS IS A CIVIL ACTION PURSUANT TO: 42 U.S.C §§ 1983 1985 & 1986 TO REDRESS THE DEPRIVATION UNDER COLOR OF STATE LAW RIGHTS SECURED BY THE CONSTITUTION OF THESE UNITED STATES THE COURT HAS JURISDICTION UNDER 28 U.S.C §§ 1331 & 1343 (a) (3) PLAINTIFF SEEKS DECLARATORY RELIEF PURSUANT TO 28 U.S.C §§ 2201 & 2202 PLAINTIFF'S CLAIMS FOR INJUNCTIVE RELIEF ARE AUTHORIZED BY 28 U.S.C §§ 2283 & 2284 & FEDERAL RULES OF CIVIL PROCEDURE # 65 THIS COURT ALSO HAS SUPPLEMENTAL JURISDICTION OVER PLAINTIFF'S STATE LAW CLAIMS UNDER 28 U.S.C § 1367
- 2) THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA IS THE APPROPRIATE VENUE UNDER 28 U.S.C 1391(b)(2) BECAUSE IT IS WHERE EVENTS GIVEN RISE TO THIS COMPLAINT OCCURRED.

II. PLAINTIFF

- 3) MARCELLUS A. "JONES" THE PLAINTIFF IS & WAS @ ALL TIMES MENTIONED HEREIN A PRISONER OF PENNSYLVANIA STATE IN THE CUSTODY OF THE PENNSYLVANIA DEPARTMENT OF CORRECTIONS ("Pa D.O.C") MR. JONES IS CURRENTLY CONFINED IN THE STATE CORRECTIONAL INSTITUTION @ SMITHFIELD IN HUNTINGDON COUNTY PA

III. DEFENDANTS

- 4) DEFENDANT/TORT FEASOR JOHN "WITZEL" IS & WAS @ ALL TIMES MENTIONED THE SECRETARY/HEAD OF THE Pa D.O.C HE IS LEGALLY RESPONSIBLE FOR THE OVERALL OPERATION OF THE DEPARTMENT & EACH INSTITUTION UNDER ITS JURISDICTION
- 5) DEFENDANT/TORT FEASOR SHIRLEY "SMEAL" IS & WAS @ ALL TIMES MENTIONED THE EXECUTIVE SECRETARY OF THE Pa D.O.C SHE IS LEGALLY RESPONSIBLE FOR THE SUPERVISION OF THE DEPARTMENT & EACH INSTITUTION UNDER ITS JURISDICTION
- 6) DEFENDANT/TORT FEASOR JOHN "MURRAY" IS & WAS @ ALL TIMES MENTIONED A REGIONAL DEPUTY SECRETARY FOR THE CENTRAL REGION HE IS LEGALLY RESPONSIBLE FOR THE SUPERVISION OF INSTITUTIONS LOCATED WITHIN THE CENTRAL AREA OF PENNSYLVANIA STATE
- 7) DEFENDANT/TORT FEASOR BRAD "NEWTON" IS & WAS @ ALL TIMES MENTIONED AN ASSISTANT REGIONAL SECRETARY FOR THE CENTRAL REGION OF THE Pa D.O.C HE IS LEGALLY RESPONSIBLE FOR SUPERVISING/OVERSEEING CORRECTIONAL INSTITUTIONS WITHIN THE Pa D.O.C'S CENTRAL REGION
- 8) DEFENDANT/TORT FEASOR MARK "GARMAN" IS & WAS @ ALL TIMES MENTIONED THE DEPUTY SUPERINTENDANT OF CENTRALIZED SERVICES @ SC-1-HUNT HE IS LEGALLY RESPONSIBLE FOR DAILY OPERATION/OVERSIGHT OF SERVICES @ SC-1-HUNT

- 9) DEFENDANT/TORT FEASOR HEATHER "HAWKMAN" IS & WAS @ ALL TIMES MENTIONED AN ASSISTANT REGIONAL SECRETARY FOR THE CENTRAL REGION OF THE Pa D.O.C SHE IS LEGALLY RESPONSIBLE FOR SUPERVISING/OVERSEEING CORRECTIONAL INSTITUTIONS WITHIN THE Pa D.O.C'S CENTRAL REGION
- 10) DEFENDANT/TORT FEASOR DARINA "WARNER" IS & WAS @ ALL TIMES MENTIONED A CHIEF GRIEVANCE OFFICER FOR THE Pa D.O.C SHE IS LEGALLY RESPONSIBLE FOR THE RESOLUTION OF PRISONERS GRIEVANCES & COMPLAINTS WITHIN THE Pa D.O.C
- 11) DEFENDANT/TORT FEASOR JOANNE "TORMA" IS & WAS @ ALL TIMES MENTIONED THE DIRECTOR OF THE OFFICE OF POPULATION MANAGEMENT SHE IS LEGALLY RESPONSIBLE FOR PRISONERS TRANSFERS FROM ONE (1) INSTITUTION TO ANOTHER WITHIN THE PA D.O.C
- 12) DEFENDANT/TORT FEASOR THEODORE "CARTER" IS & WAS @ ALL TIMES MENTIONED AN ASSISTANT WITHIN THE OFFICE OF POPULATION MANAGEMENT HE IS LEGALLY RESPONSIBLE FOR SUPERVISING/OVERSEEING PRISONERS TRANSFERS WITHIN THE Pa D.O.C
- 13) DEFENDANT/TORT FEASOR TABB "BICKELL" IS & WAS @ ALL TIMES MENTIONED THE WARDEN SUPERINTENDANT OF SOC-HUNT HE IS RESPONSIBLE FOR THE OVERALL DAY-TO-DAY OPERATIONS/OVERSIGHT OF SOC-I-HUNT
- 14) DEFENDANT TORT FEASOR CHAD "WAKEFIELD" IS & WAS @ ALL TIMES MENTIONED A LEVEL-5 (FIVE) CORRECTIONS OFFICER @ SOC-I-HUNT
- 15) DEFENDANT/TORT FEASOR JAMES "ECHARD" IS & WAS @ ALL TIMES MENTIONED THE DEPUTY FACILITY MANAGER @ SOC-I-HUNT HE IS LEGALLY RESPONSIBLE FOR THE DAILY/OVERSIGHT SUPERVISION OF SOC-I-HUNT'S MANAGEMENT

- 16) DEFENDANT / TORT FEASOR SCOTT WALTERS (?) IS & WAS A LEVEL-5 (FIVE) CORRECTIONS OFFICER / MAJOR @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 17) DEFENDANT / TORT FEASOR KEVIN WALTERS IS & WAS A LEVEL-4 (FOUR) CORRECTIONS OFFICER / CAPTAIN @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 18) DEFENDANT / TORT FEASOR BRIAN HARRIS IS & WAS A LEVEL-4 (FOUR) CORRECTIONS OFFICER / CAPTAIN @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 19) DEFENDANT / TORT FEASOR EBY IS & WAS A LEVEL-4 (FOUR) CORRECTIONS OFFICER / CAPTAIN @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 20) DEFENDANT / TORT FEASOR SMITH IS & WAS A LEVEL-4 (FOUR) CORRECTIONS OFFICER / CAPTAIN @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 21) DEFENDANT / TORT FEASOR STEVENS IS & WAS A LEVEL-4 (FOUR) CORRECTIONS OFFICER / CAPTAIN @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 22) DEFENDANT / TORT FEASOR NITMAN SIKFER IS & WAS A LEVEL-4 (FOUR) CORRECTIONS OFFICER / CAPTAIN @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 23) DEFENDANT / TORT FEASOR WENDY HENRY IS & WAS A LEVEL-3 (THREE) CORRECTIONS OFFICER / LIEUTENANT @ S.C.I.-H @ THE TIMES MENTIONED HENRY HEREIN

- 24) DEFENDANT / TORT FEASOR CHARLES MCCOY IS & WAS A LEVEL-3 (THREE) CORRECTIONS OFFICER / LIEUTENANT @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 25) DEFENDANT / TORT FEASOR DUNKLE IS & WAS A LEVEL-3 (THREE) CORRECTIONS OFFICER / LIEUTENANT @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 26) DEFENDANT / TORT FEASOR BURKE (?) IS & WAS A LEVEL-3 (THREE) CORRECTIONS OFFICER / LIEUTENANT @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 27) DEFENDANT / TORT FEASOR MAXWELL IS & WAS A LEVEL-3 (THREE) CORRECTIONS OFFICER / LIEUTENANT @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 28) DEFENDANT / TORT FEASOR A. TAYLOR IS & WAS A LEVEL-3 (THREE) CORRECTIONS OFFICER / LIEUTENANT @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 29) DEFENDANT / TORT FEASOR GILL IS & WAS A LEVEL-3 (THREE) CORRECTIONS OFFICER / LIEUTENANT @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 30) DEFENDANT / TORT FEASOR ANKAND IS & WAS A LEVEL-2 (TWO) CORRECTIONS OFFICER / SERGEANT @ S.C.I.-H @ THE TIMES MENTIONED HEREIN

- 31) DEFENDANT / TORT FEASOR MIREBELLA IS & WAS A LEVEL-2 (TWO) CORRECTIONS OFFICER / SERGEANT @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 32) DEFENDANT / TORT FEASOR GROVE IS & WAS A LEVEL-2 (TWO) CORRECTIONS OFFICER / SERGEANT @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 33) DEFENDANT / TORT FEASOR SIPPLE (?) IS & WAS A LEVEL-2 (TWO) CORRECTIONS OFFICER / SERGEANT @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 34) DEFENDANT / TORT FEASOR EBERLING IS & WAS A LEVEL-2 (TWO) CORRECTIONS OFFICER / SERGEANT @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 35) DEFENDANT / TORT FEASOR JEN REDFERN IS & WAS A LEVEL-2 (ONE) CORRECTIONS OFFICER @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 36) DEFENDANT / TORT FEASOR KENNETH BOAL IS & WAS A LEVEL-1 (ONE) CORRECTIONS OFFICER @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 37) DEFENDANT / TORT FEASOR REX WERTZ IS & WAS A LEVEL-1 (ONE) CORRECTIONS OFFICER @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 38) DEFENDANT / TORT FEASOR NOAH GROVE IS & WAS A LEVEL-1 (ONE) CORRECTIONS OFFICER @ S.C.I.-H @ THE TIMES MENTIONED HEREIN

- 39) DEFENDANT/TORT FEASOR MALIK IS & WAS A LEVEL-1 (ONE) CORRECTIONS OFFICER @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 40) DEFENDANT/TORT FEASOR VEROSKY (?) IS & WAS A LEVEL-1 (ONE) CORRECTIONS OFFICER @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 41) DEFENDANT/TORT FEASOR JASON TYLER IS & WAS A LEVEL-1 (ONE) CORRECTIONS OFFICER @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 42) DEFENDANT/TORT FEASOR ROBERT BOOKHEIMER IS & WAS A LEVEL-1 CORRECTIONS OFFICER @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 43) DEFENDANT/TORT FEASOR JAMES BOOTHER IS & WAS A LEVEL-1 (ONE) CORRECTIONS OFFICER @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 44) DEFENDANT/TORT FEASOR MURTH IS & WAS A LEVEL-1 (ONE) CORRECTIONS OFFICER @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 45) DEFENDANT/TORT FEASOR FLECK IS & WAS A LEVEL-1 (ONE) CORRECTIONS OFFICER @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 46) DEFENDANT/TORT FEASOR ROBERT KOVACH IS & WAS A LEVEL-1 (ONE) CORRECTIONS OFFICER @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 47) DEFENDANT/TORT FEASOR WOODWARD (?) IS & WAS A LEVEL-1 (ONE) CORRECTIONS OFFICER @ S.C.I.-H @ THE TIMES MENTIONED HEREIN

- 48) DEFENDANT / TORT FEASOR STITT IS & WAS A LEVEL-1 (ONE) CORRECTIONS OFFICER @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 49) DEFENDANT / TORT FEASOR WILE IS & WAS A LEVEL-1 (ONE) CORRECTIONS OFFICER @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 50) DEFENDANT / TORT FEASOR JANE DOE IS & WAS A LEVEL-0 (ZERO) CORRECTIONS OFFICER TRAINEE @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 51) DEFENDANT / TORT FEASOR JAMES BARNACLE IS & WAS THE DIRECTOR OF THE P.A.D.O.C DEPARTMENT OF SPECIAL INTERNAL INVESTIGATIONS O.S.I.I. @ THE TIMES MENTIONED HEREIN
- 52) DEFENDANT / TORT FEASOR JON DOE IS & WAS AN ASSISTANT TO THE DEPUTY REGIONAL SECRETARY WITHIN THE P.A.D.O.C @ THE TIMES MENTIONED HEREIN
- 53) DEFENDANT / TORT FEASOR EDWARD MORRISON IS & WAS A LEVEL-3 (THREE) CORRECTIONS OFFICER / LIEUTENANT @ S.C.I.-H @ THE TIMES MENTIONED HEREIN
- 54) EACH DEFENDANT / TORT FEASOR IS BEING SUED INDIVIDUALLY & IN HIS OR HER OFFICIAL CAPACITY @ ALL TIMES MENTIONED IN THIS @ ALL TIMES RELEVANT HEREIN EACH DEFENDANT / TORT FEASOR ACTED UNDER COLOR OF LAW

IV. COMPLAINT

55) MARCELLUS D. "JONES" the PLAINTIFF HEREBY COMPLAINS AGAINST DEFENDANTS/TORT FEASORS CAPTIONED ABOVE

* * * * *

NOTICE

* * * * *

56) ALL DEFENDANTS/TORT FEASORS MENTIONED FOREGOING - PARAGRAPHS # 4-53 MEET ANY & ALL SET CRITERIA & DEFINITIONS OF "TORT FEASORS" / "LOCAL AGENCIES" / "STATE OFFICIALS" IN ACCORDANCE WITH THE PENNSYLVANIA POLITICAL SUBDIVISION TORT CLAIMS ACT 42 PA C.S.A. § 8501 ET SEQ. MOREOVER THE DEFENDANTS/TORT FEASORS ARE ALSO LIABLE UNDER PENNSYLVANIA RULES OF CIVIL PROCEDURE # 1007

57) MR. JONES AVERES THAT CLAIMS OF "WILLFUL MISCONDUCT" PURSUANT TO 42 PA C.S.A. §§ 8521 & 8550 ARE BEING FILED AGAINST EACH DEFENDANT/TORT FEASOR IN THEIR "INDIVIDUAL CAPACITIES" THRU-OUT THE COMPLAINT AS A RESULT NONE OF THE DEFENDANTS/TORT FEASORS ARE ELIGIBLE TO RECEIVE ANY IMMUNITIES UNDER THE PENNSYLVANIA POLITICAL SUBDIVISION TORT CLAIMS ACT BECAUSE MR. JONES AVERES IN HIS COMPLAINT THAT EACH TORT FEASOR WAS MOTIVATED BY MALICE & WILLFUL MISCONDUCT & THAT EACH TORT FEASOR'S ACTION - EXPLAINED IN VIVID DETAIL BELOW - WAS TAKEN IN ORDER TO BRING ABOUT THE RESULTS & OR INJURIES DESIRED BY THESE TORT FEASORS (INTENTIONAL TORT) & (CONVERSION TORTS) THAT FOLLOWED.

58) IT IS MR. JONES' ASSERTION THAT DURING THE INCIDENTS IN WHICH THE TORT FENSORS COMMITTED WILLFUL MISCONDUCT AGAINST HIM EACH TORT FENSOR WAS ACTING OUTSIDE OF THE OFFICE OR DUTIES OF THE EMPLOYER WHILE PURPORTING TO BE ACTING UNDER COLOR OF LAW & DEPARTMENT OF CORRECTIONS POLICES THEREFORE ANY LEGAL ASSISTANCE PROVIDED TO THESE TORT FENSORS BY THEIR RESPECTIVE EMPLOYING AGENCIES IS A STATUTORY VIOLATION UNDER THE PENNSYLVANIA POLITICAL SUBDIVISION TORT CLAIMS ACT @ 42 Pa.C.S.A. § 8547 LEGAL ASSISTANCE & MAY GIVE RISE TO FUTURE CLAIMS PUNISHABLE BY LAW.

* * * * JUDICIAL NOTICE (EQUITABLE TOLLING) **

59) BECAUSE OF MR. JONES' CONTINUED SUFFERAGE UNDER CAMPAIGNS OF FRUSTRATION \ RETALIATION \ DISSUASION \ TERROR \ HARASSMENT IN THE PROCESS OF HIM TRYING TO BRING HIS COMPLAINT BEFORE THE COURT

60) MR. JONES NOW REQUESTS THE COURT TO APPLY THE STANDARD OF EQUITABLE TOLLING TO HIS CLAIMS IN THIS LAWSUIT SINCE THE FACTS RAISED HEREIN WERE /WAS BEFORE THE COURT IN PREVIOUS FILINGS @ CIVIL ACTION # 13-CV-1400 & 2015-CV-0130.

V. BACKGROUND / RELEVANT FACTS

61) ON THESE DATES: FEB 10 2013 FEB 26 2013 MAR. 3 2013 APR 4 2013 MAY 7 & 14 2013 JUNE 6 & 12 2013 OCT. 25 2013 NOV 15 2013 JAN 21 2014 SEE ALSO STATE HABEAS CORPUS PETITION # 19-970 MR. JONES FILED ALL OF THE FOREGOING NOTIFICATIONS TO DEFENDANT TORT FENSOR WETZEL LETTING HIM KNOW THAT THE S.C.I.-H STAFF WERE NOT ONLY

HELL-BENT/RETALIATION PRONE BUT THEY WERE TORTURING ABUSING
TERRORIZING MR. JONES TO STOP HIM FROM PURSUING LEGAL ACTIONS
THEM. HOWEVER AFTER MR. JONES FILED & FULLY EXHAUSTED
OVER 50 (FIFTY) INTERNAL Pa.D.O.C. GRIEVANCES & SENT NUMEROUS LETTERS
OF COMPLAINT ALONG WITH 2 (TWO) LAWSUITS - # 3:12 CV 0487 &
4:13 CV 1400 - & HABEAS CORPUS PETITION # 19-970 HOWEVER NONE
OF THESE REPORTS / NOTICES / COMPLAINTS / GRIEVANCES WERE RESOLVED NOR
ACED UPON BY WETZEL.

* * * *

* * *

JUDICIAL NOTICE (REGULAR RECORDINGS)

- 62) PURSUANT TO Pa.D.O.C. Policy # 6-3.1 IT IS MANDATORY THAT
DEFENDANT/TORT FENSORS: WETZEL BARNACLE, SWEAL, BICKELL, HALDEMAN,
WIDENROWICZ, MURRAY, NEWTON, VARNER, ECKERD, GARMAN, WAKEFIELD &
WALTERS REVIEW ALL CAMCORDER/AUDIO-VIDEO FOOTAGE.
- 63) MR. JONES WAS SUBJECTED TO OVER 30 (THIRTY) INCIDENTS THAT REQUIRED
CAMCORDER/AUDIO-VIDEO FOOTAGE TO BE USED & THESE DIGITALLY DOWNLOADED
& ELECTRONICALLY STORED VIDEOS/D.V.D'S WERE SENT DIRECTLY TO THE
FORGOING ADMINISTRATORS SUPPLYING THESE DEFENDANTS/TORT FENSORS
WITH ACTUAL NOTICE OF THE ABUSE RETALIATION & TORTUROUS CONDITIONS
THAT MR. JONES WAS BEING HOUSED UNDER.
- 64) WHETHER VIA VIDEO FOOTAGE COURT FILINGS INTERNAL Pa.D.O.C. COMPLAINTS
LETTERS OF NOTIFICATION MR. JONES HAS PROVED THE COURT WITH AMPLE
PROOF/EVIDENCE THAT DEFENDANTS/TORT FENSORS: WETZEL BARNACLE
SWEAL VARNER BICKELL HALDEMAN MURRAY TORMA CARTER NEWTON
ECKERD GARMAN WAKEFIELD & WALTERS WERE EXTREMELY/GROSSLY
NEGLIGENT & MALICIOUSLY DELIBERATE INDIFFERENT

TO THE REPEATED ATTACKS ABUSIVE TORTUROUS TREATMENT MR JONES
ENDURED @ S'C'I-H.

VI. # 1 CAUSE OF ACTION S'C'I-H

#65) AFTER MR JONES' REPEATED NOTIFICATION FILING & CIVIL LAWSUIT # 3:12 CV 0487 DEFENDANT/TORT FEASORS: WETZEL, SIMEAL, MURRAY, TORMA, BICKELL, HOLMAN, NEWTON, VARNER, GARMAN, ECKARD, WHELFIELD & WALTERS ENTERED INTO AGREEMENT THAT MR JONES BE SENT BACK TO S'C'I-H ON JUN. 7 2013 AS A DIRECT RESULT THE DEFENDANTS & THEIR FRIENDS / CO-WORKERS HAD UNFETTERED / FREE REIGN TO REINLITE AGAINST MR JONES WHEN HE WAS PLACED DIRECTLY IN THEIR CARE. THE DEFENDANTS IN CIVIL ACTION # 3:12 CV 0487 WAS A TAYLOR GAINWELLO.

66) DUE TO MR JONES' REPEATED / CONSISTENT REPORTS / NOTIFICATIONS OF ABUSE DEFENDANTS / TORT FEASORS: WETZEL, SIMEAL, VARNER, BARNACLE, MURRAY, NEWTON, BICKELL, HOLMAN, TORMA, GARMAN, WHELFIELD, ECKARD & WALTERS HAD A DUTY AS WELL AS AMPLE OPPORTUNITIES TO APPLY THEIR OWN INTERNAL PROCEDURES WHICH STATE IN RELEVANT PART "AFTER ANY SIGNIFICANT INCIDENT OCCURS BETWEEN A PRISONER & PRISON STAFF AN IMMEDIATE OPERATIONAL TRANSFER SHALL BE ORDERED TO PREVENT ANY RETALIATORY ABUSE & / OR FUTURE CONFLICTS".

67) EVEN THOUGH THE FOREGOING POLICY / RULE / REGULATION / PROCEDURE WOULD IN PLACE THAN-OVER MR JONES' ENTIRE ORdeal OF TORTUROUS CONFINEMENT @ S'C'I-H NONE OF THE ABOVE NAMED / MENTIONED DEFENDANTS, KIED IN ACCORDANCE WITH THE ABOVE MANDATES ALL OF THE DEFENDANTS / TORT FEASORS MENTIONED FOREGOINGLY REVIEWED / INSPECTED / EXAMINED / SCRUTINIZED.

68) MR. JONES' P.D.O.C PRISON RECORDS/FILES PP WHICH SAID PRISON FILES ARE &/OR WERE OVER FLOWING WITH COMPLAINTS /REPORTS NOTICES OF ABUSE /GRIEVANCES AGAINST THE DEFENDANTS TO CIVIL ACTION # 3:12 CV 0487. YET, EVEN THOUGH MR. JONES' P.D.O.C PRISON FILES WAS SCREENED THOROUGHLY BY THE ABOVE NAMED DEFENDANTS /TORT FEARSORS THESE P.D.O.C & S.C.I.-II ADMINISTRATORS HAD MR. JONES CONFINED /TRANSGRESSED INTO THE CLUTCHES OF CIVIL DEFENDANTS WHO IMMEDIATELY ENGAGED CAMPAIGNS OF RETALIATION & ABUSE AGAINST MR. JONES

69) WITH PRIOR ACTUAL NOTICE & FOREWARNINGS FROM MR. JONES TELLING THEM THAT FUTURE ABUSES/DANGER WAS IMMINENT /THREATENING THE AVERAGE PROFESSIONAL IN THE CORRECTIONS FIELD WOULD HAVE EASILY /AUTOMATICALLY NOTICED & RECOGNIZED THE POTENTIAL FOR RETALIATORY ABUSES TO OCCUR HOWEVER INSTEAD OF TAKING PREVENTIVE MEASURES TO "AVOID FUTURE CONFLICTS" LIKE THE ABOVE MENTIONED P.D.O.C POLICY SAYS WETZEL ET. AL. EMPLOYED AN ARBITRARY &/OR DE FACTO CUSTOM & PRACTICE AGAINST MR. JONES WHERE THESE SO-CALLED SUPERVISORS COVERED-UP /COVERED FOR /STONEWALLED & INDIFFERENTLY IGNORED MR. JONES' GRIEVANCES /COMPLAINT NOTICES TO THEM SEE: FILINGS @ 2:15-CV-0130 .

70) MR. JONES BETWEEN FEB - MAY 2013 SENT OVER 5 (FIVE) LETTERS OF COMPLAINT TO: WETZEL, SMITH, MURRAY, NEWTON, VARNER, TORMH & CARTER MR. JONES ALSO FILED OVER 30 (THIRTY) P.D.O.C FORMAL INTERNAL GRIEVANCES TO: VARNER BICKELL & MR. JONES FILED OVER 30 (THIRTY) P.D.O.C INTERNAL REQUEST FORMS TO S.C.I.-II ADMIN: BICKELL, ECKERT, GARMAN, HALDEMAN, WAKEFIELD, WALTERS, K. WALTERS, HARRIS, EBY, ALTMANSTHOFER, SMITH & STEVENS

71) MR. JONES SENT VARIOUS /MULTIPLE FORMAL P.D.O.C GRIEVANCES REQUEST-TO-STAFF FORMS & LETTERS ESTABLISHING ACTUAL NOTICE

TO EACH OF THESE ADMIN. DEFENDANTS YET NONE OF THEM
DID ANYTHING TO STOP THE ABUSES MR. JONES WAS SUFFERING

* * * JUDICIAL NOTICE * * *

72) ON FEB 5, 2013 MR. JONES GAVE THESE ADMIN. DEFENDANTS
FURTHER ACTUAL NOTICE BY TESTIFYING AT A DEPOSITION RELATED TO
3:12-cv-0487 IN WHICH HE TOLD PA DDC ASST CNL JEFFERY PALADIN
UNDER OATH THAT THE DEFENDANTS TO CIVIL ACTION # 3:12-cv-0487 WERE
RETAILIATING & THREATENING MR. JONES WITH RETALIATION FOR HIM FILING
A LAWSUIT NOTHING WAS DONE TO STOP THESE ABUSES.

1 CAUSE OF ACTION - S.C.I. - HUNT

73) ON JAN. 9 2013 AFTER MR. JONES TRANSFERRED FROM S.C.I. CAMP
-HILL TO S.C.I. - H (ON JAN. 7 2013) DEFENDANTS BOAL WERTZ MURTIFF
& MAINELLO WERE ISSUING/PASSING OUT ROLLS OF TOILET PAPER TO
PRISONERS ON JAN. 9, 2013 WHEN MURTIFF STARTED THROWING ROLLS
OF TOILET PAPER @ MR. JONES' CELL AS HE STATED "WIFE OF
YOURSELF YOU BLACK PIECE OF SHIT SNITCH" BOAL THEN ENCOURAGED
MURTIFF STATING "THAT'S A GOOD JOB MURTIFF THANK FOR SHOWING
THAT NIGGER WE DON'T LET 'EM GET AWAY WITH FILING LAWSUITS AGAINST
US" MAINELLO & WERTZ BOTH SAID "YEAH, THAT'S A GOOD JOB
TEACH THAT NIGGER NOT TO FILE LAWSUITS AGAINST US"

74) ON JAN. 11, 2013 AS APPROXIMATELY 8(EIGHT)-10(TEN) CORRECTIONS
OFFICERS WERE DOING CELL SEARCHES OF EVERY CELL ON GA-BLOCK
A PUDDLE OF URINE WAS ON THE FLOOR IN FRONT OF THE CELL ADJACENT
TO MR. JONES' C.O. FLECK AFTER MULTIPLE NOTICES/WARNINGS
FROM HIS CO-WORKERS & MR. JONES FLECK INTENTIONALLY
& DELIBERATELY IGNORED EVERYONE'S WARNINGS & STEPPED INTO

THE CLEARLY OBVIOUS PUDDLE OF URINE IN FRONT OF GA 1011 CELL - MR. JONES WAS CONFINED IN GA 1012 CELL

- 75) After Fleck REPEATEDLY/CONTINUOUSLY TRENDED/WALKED THRU THE URINE PUDDLE HE THEN APPROACHED MR. JONES' CELL TO DO A SEARCH OF MR. JONES' CELL - MIND YOU MR. JONES ONLY GOT BACK TO S.C.I.-H ON JAN. 1 2013 A MERE 4 (FOUR) DAYS PRIOR & HE HAD NOTHING OF SIGNIFICANCE IN HIS CELL TO SEARCH.
- 76) Before Fleck ENTERED MR. JONES' CELL MR. JONES ASKED THE ASST. SUPERVISING LT. DUNKLE TO ASSIGN SOMEONE TO SEARCH THE CELL BECAUSE FLECK HAD URINE ON HIS BOOTS DUNKLE THEN SAID "WELCOME BACK SWITCH WE DIDNT FORGET ALL THOSE COMPLAINTS & SWITCH PAPERWORK YOU FILED LAST TIME YOU WERE HERE ITS PAPERWORK"
- 77) Fleck THEN ENTERED MR. JONES' CELL & TRACKED URINE BOOTPRINTS IN THE CELL & FLECK STEPPED ON MR. JONES' BLANKET MATRESS & SHEETS UNDER THE GUISE OF SEARCHING MR. JONES' CELL FLECK TOLD MR. JONES "THIS IS HOW WE KNEW RATT LINKS @ S.C.I.-H"

VII. COUNT 2 (FEB. 2013)

- 78) ON FEB. 12, 2013 MR. JONES WAS ASSIGNED TO ATTEND THE LAW LIBRARY - A PRISONER BY THE NAME OF ESTHER MOBLEY OR MOSLEY WAS ALREADY IN THE LAW LIBRARY - MR. JONES WAS BEING ESCORTED THE LAW LIBRARY BY C.O.'S BUCHANAN & MINNELLO - A DEFENDANT CIVIL ACTION # 3:12-cv-0457 BUCHANAN & MINNELLO MADE REPEATED THREATS AGAINST MR. JONES UNDER THE GUISE OF AN "ESCORT" SAYING MINNELLO - "NOW YOU PIECE OF SHIT SWITCH WE'RE GONNA MAKE YOU PAY FOR FILING THAT LAWSUIT AGAINST US" & BUCHANAN "YOU'RE GONNA LEARN NOT TO BE THINLY-TELL & TO STOP FILING GRIEVANCES ON US"
- 79) After MR. JONES WAS PARTICIPATING IN THE LAW LIBRARY PERIOD C.O.'S BOB MINNELLO & BUCHANAN ENTERED MR. JONES' CELL & THREW MR. JONES' PROPERTY - PERSONAL & LEGAL ITEMS - AWAY.

* * * JUDICIAL NOTICE * * *

- 80) ON Feb 26, 2013 MR. JONES NOTIFIED Pa D.O.C ASS. COUNSLOR Jeffrey MILLARD that he feared for his life due to the DEFENDANTS TO CASE # 3:12-cv-0487 - i.e. MINDELLO & TAYLOR - ACTS OF ABUSE & THREATS to him. MR. JONES SUPPLIED MILLARD WITH NOTICES OF ABUSE/RETALIATION ON 2(TWO) OCCASIONS ONCE @ HIS FIRST SCHEDULED DEPOSITION of Feb 5, 2013 & THEN AGAIN @ THE DEPOSITION of Feb 26, 2013.
- 81) NOTHING WAS DONE TO STOP THE RETALIATORY ABUSES MR. JONES WAS SUFFERING.

VIII. COUNT-3 (MAR. 2013)

- 82) ON MAR. 3, 2013 AS MR. JONES WAITED TO BE GIVEN A TRAY @ THE MORNING MEALTIME MINDELLO REFUSED TO GIVE MR. JONES A TRAY WITH FOOD ON IT SAYING "YOU DON'T THINK I'D FIND OUT ABOUT YOUR VIDEO CONFERENCE (DEPOSITION) THE OTHER DAY MEYERS TOLD US ALL ABOUT YOU SAYING I'M OUT JUST FOR THAT YOU DON'T EAT".
- 83) MR. JONES THEN REQUESTED TO SPEAK TO A LT. LT. TAYLOR CALLED TO MR. JONES' CELL & INSTEAD OF ISSUING MR. JONES HIS MEAL TAYLOR MADE THE RETALIATORY THREAT of "NONE OF CARE IF YOU GET ANYTHING TO EAT OR NOT NIGGER ALL YOU'LL GET FOR COMPLAINING ON MY WATCH IS A BLAST OF O'C SPRAY" MR. JONES THEN TRIED TO HAVE A CAPTAIN/SHIFT COMMANDER NOTIFIED & WAS SERVED WITH O'C SPRAY FOR COMPLAINTING.
- 84) ON MAR. 12, 2013 LT. HEAD C.O.'S STAFF KYLE & MONTGOMERY & NURSE STEVENS HAD MR. JONES BLASTED & DRENCHED W/ O'C SPRAY AS MR. JONES SAT IN HIS CELL HE BEGAN TO HAVE ASTHMA/BREATHING TROUBLES MR. JONES THEN TOLD MONTGOMERY OF HIS DISTRESS AS MONTGOMERY AMOZ ROUNDS.

85) APPROXIMATELY 20-30 MINUTES LATER MONTGOMERY RETURNED TO MR. JONES' CELL WITH NURSE STEVENS THEN MR. JONES TOLD STEVENS ABOUT HIS BREATHING/ASTHMA PROBLEMS STEVENS THEN TOLD MR. JONES THAT HE WOULD BE PUT UNDER PSYCHIATRIC OBSERVATION IN A.P.O.C. CELL BECAUSE "WE DON'T LIKE PRISONERS THAT TELL about our FRIENDS HERE".

86) LT. HENRY H. TILLY CAME TO MR. JONES' CELL & SAID "WE CAN'T WAIT TO WANT YOU ORANGE FOR WHILE THAT LAWSUIT AGAINST MY BOBBY TAYLOR" MR. JONES MADE A FUTILE EFFORT TO HAVE A CAPTAIN/SIFT COMMANDER ADVISED THAT HE WAS NOT SUICIDAL & THERE WAS NO NEED TO HAVE HIM PLACED IN A PSYCHIATRIC OBSERVATION CELL SIFT who was the CAPTAIN/SIFT COMMANDER REFUSED TO ADDRESS MR. JONES' PROBLEM & ORDERED THAT MR. JONES BE SPRAYED HENRY, SIFT & KYLE THEN SPRAYED MR. JONES OVER 4 (FOUR) TIMES WITH O.C. SPRAY.

IX. COUNT-4 (APR. 2013)

87) ON APR. 9 2013 MR. JONES WAS DENIED HIS AFTERNOON BY C.O.'S MINELLO & BUELLMAN who WERE ASSIGNED TO GIVE

ONLY AFTERNOON MEALS ON THIS DATE MR. JONES THEN ASKED TO SPEAK TO A SUPERVISOR & LT. HARKER CAME TO MR. JONES CELL & SAID "NO @ SIFT-H WILL HELP YOU WE STICK TOGETHER HERE"

LATER THAT SAME DAY DURING THE EVENING MEAL C.O.'S RIEDES & BULLER DENIED MR. JONES HIS MEAL TRAY

88) ON APR. 11 2013 C.O.'S WERTZ & REDFERN DENIED MR. JONES HIS AFTERNOON MEAL TRAY & WHEN MR. JONES ASKED TO SPEAK TO A SUPERVISOR SGT. SUPPLE CAME TO MR. JONES' CELL & SAID "DON'T CRY TO ME PLEASE I'M THE ONE WHO TOLD 'EM TO BURN YOU"

89) MR. JONES THEN ASKED TO SPEAK TO A CPT. / 911 / Command
 LT. MCGY then ARRIVED @ MR. JONES CELL & TOLD HIM "YOU STILL
 HAVEN'T LEARNED THE MORE YOU KEEP COMPLAINING THE WORSE WE'LL
 TREAT YOU"

ON APR. 17 2013 MR. JONES WAS REFUSED HIS MEAL & EVENING
 MEALS @ BOWL GROVE MENTAL & REFORMATORY

X. COUNT-5 (MAY 2013)

90) ON MAY 7, 2013 MR. JONES WAS SLAMMED TO THE GROUND
REPEATEDLY KICKED & TASERED BY C.O'S JONES WERTZ BOWL
 MENTAL MARIELLO GROVE. BUCHANAN & REDFERN IT'S THAT WERE ORDERED
 TO DO SO BY LT. MCGYER WHILE SGT. SUPPLE CLOSING & KENDS
 STOOD BY & WATCHED

91) ON MAY 12, 2013 C.O'S MARIELLO REDFERN PYLE BROOKHOLMEYER
 BOWL CLOSING WERTZ JONES & BUCHANAN UNDER THE GUISE OF CONDUCT
-ING SHOWERS - WHICH ARE SHOWER STALLS ARE NOISEY MR. JONES CELL -
 THESE DEFENDANTS MENTIONED CONTINUOUSLY / REPEATEDLY KICKED BANGED
THREATENED YELLED RACIST SLURS & OBSCENITIES @ MR. JONES
 WHILE HE WAS IN HIS CELL

92) ON MAY 14, 2013 C.O'S REDFERN, MARIELLO, PYLE, BROOKHOLMEYER, BELL,
 BOLLER, JONES, WERTZ, GROVE, & BUCHANAN CAN BE SEEN ON
CCTV FOOTAGE THROWING LEFT WERTZ ORANGES @ MR. JONES CELL

93) ON MAY 15, 2013 AFTER MR. JONES' REPEATED COMPLAINTS & INTERNAL GRIEVANCES P.O.'S JONES BUCKHORN & PYLE & MALLORY CAN BE SEEN ON CCTV FOOTAGE KICKING A TRASH CAN INTO MR. JONES' CELL AS JONES SAID "YOU & YOUR GRIEVANCES ARE TRASH SO WE'LL TRASH YOU AS WELL"

* * *

JUDICIAL NOTICE * * *

94) MR. JONES SUBMITTED NUMEROUS COMPLAINTS/REQUEST FORMS TO S.C.I.-H SUPERINTENDENT BICKELL SPECIFICALLY IN A COMPLAINT/REQUEST FILED BY MR. JONES ON MAY 13, 2013 WHICH BICKELL ANSWERED ON MAY 16, 2013 SEE EXHIBIT THIS SPECIFIC REQUEST/COMPLAINT SUPPLIED BICKELL WITH ACTUAL NOTICE THAT MR. JONES WAS IN DANGER & THAT AN ASSAULT BY S.C.I.-H STAFF WAS IMMINENT BICKELL DID NOTHING IN RESPONSE TO MR. JONES' COMPLAINTS &

95) ON MAY 18 2013 MR. JONES WAS AMBUSHED/SET-UP BY SGT. SUPPLE BROCKMEYER & PYLE WHEN THESE DEFENDANTS ORDERED MR. JONES TO ATTEND AN UNSCHEDULED/UNSEEMLY/UNSOLICITED/UNSCRUPULOUS LAW LIBRARY "ESCORT"

96) AFTER MR. JONES' LEFT HAND ONLY - WAS CUFFED BROCKMEYER & PYLE WITH AUTHORIZATION FROM SUPPLE (?) OPENED THE SECURITY LEVEL 20 (TWENTY) CELL THAT MR. JONES WAS HOUSED IN UNDER THE GUISE OF AN ESCORT BROCKMEYER & PYLE THREATENED MR. JONES BY INFORMING THAT THAT WHEN HE ENTERED THE CELL BY 24 HRS/ WE GOING TO "MAKE AN EXAMPLE OUT OF YOU & BEAT YOU TO A FUCKING PULP" MR. JONES WAS BATTERED & ASSAULTED BY THESE DEFENDANTS WHICH S.C.I.-H ADMIN: BICKELL GARDIN ECKERT HALDEMAN WATHEFILD WALTERS CBY SMITH STEVENS H. WALTERS

& MATTANSTOFER KNEW WOULD OCCUR YET, NONE OF THESE
SIC-1-11 ADMIN. DID ANYTHING TO PREVENT HIS ATTACK.

LATER THAT EVENING C.O.'S BOOTHER MALUK & BUTLER REFUSED
TO GIVE MR. JONES HIS MEAL TRAY

XI. COUNT - 6 (OCT. 2013)

- 97) ON OCT. 10 2013 AFTER THE/ GIVE PRISONERS EXTRA MEAL TRAYS
TO HARASS/TERRORIZE/TORMENT/THREATEN MR. JONES FOR REPORTING
THE ABUSE HE WAS SUFFER C.O.'S REDFERN & BOOKHEIMER CAN
BE SEEN ON CCTV FOOTAGE PASSING A COPY OF MR. JONES'
GRIEVANCE THAT IS FILED AGAINST THEM TO OTHER PRISONERS
- 98) ON OCT. 20 2013 MR. JONES WAS DENIED HIS EVENING MEAL
TRAY BY C.O.'S MALUK BOOTHER TAKHMAN VEROSKY & REDFERN.
MR. JONES THEN SPOKE TO LT. BUSKO WHO TOLD MR. JONES "STOP
BITTERING WHEN YOU COMPLAINING SO MUCH MAYBE WE'LL FEED YOU"
- 99) THEN AFTER MR. JONES CONTINUED TO COMPLAIN & ASK TO SEE
THE CPT./SHIFT COMMANDER BUSKO ORDERED THAT MR. JONES
BE PEPPER GASSED THEN STRIPPED PLACED IN A STRIPPED CELL -
A.K.A. "HARD CELL" - WITH A RESTRAINT BELT HANDCUFFS & SHACKLES
THEN AFTER APPROXIMATELY 20-30 MINUTES PASSED BUSKO CAME
BACK TO MR. JONES' CELL & ORDERED MALUK, VEROSKY & REDFERN
TO PEPPER GAS & TASER MR. JONES AGAIN EVEN THOUGH MR. JONES
WAS ALREADY SECURED BEYOND MEASURE IN A LEVEL-20 CELL
WITH SHACKLES & HANDCUFFED TO A RESTRAINT BELT.

XIII COUNT - 7

- 100) Pa D.O.C AGAINST DEFENDANTS: WITZEL, SMITH, VARNER, MURRAY, NEWTON, BARNACLE, TORRIN & CARTER ALL WERE ON/ GIVEN ACTUAL NOTICE THAT ONGOING/ CAMPAIGNS OF RETALIATION TORTURE/ TERRORISM/ ABUSE WAS TAKING PLACE @ S.M.I. II SPECIFICALLY AGAINST MR. JONES AS INDICATED FOREGOINGLY/
- 101) HOWEVER EVEN THOUGH MR. JONES FILED OVER 50 (FIFTY) Pa D.O.C INTERNAL GRIEVANCES A STATE HABEAS CORPUS PETITION # 19-970 & OVER 20 (TWENTY) LETTERS OF COMPLAINTS TO: WITZEL, SMITH, MURRAY & BARNACLE THESE Pa D.O.C AGAINST DEFENDANTS COMMITTED ACTS OF MALICIOUS/ GROSS NEGLIGENCE & BOLD/ EXTREME DELIBERATE INDIFFERENCE AGAINST MR. JONES NONE OF THESE DEFENDANTS took any significant or effective action to PREVENT &/OR STOP THE ABUSES MENTIONED HEREIN.
* * * * *
- JUDICIAL NOTICE * * * * *
- 102) AFTER MR. JONES FILED & FULLY EXHAUSTED OVER 50 (FIFTY) Pa D.O.C INTERNAL GRIEVANCES TO VARNER SHE DENIED ALL OF HIS GRIEVANCES & WOULD NOT DO ANYTHING ABOUT THE COMPLAINTS RAISED HEREIN.
- 103) ADDITIONALLY MR. JONES' OVER 20 (TWENTY) LETTERS OF COMPLAINTS REPORTING THE ABUSES MENTIONED HEREIN WERE RESPONDED TO BY NEWTON, BARNACLE & CARTER WHO ALL REFUSED TO DO ANYTHING ABOUT MR. JONES' COMPLAINTS SPECIFICALLY NEWTON WHO ALREADY KNEW OF MR. JONES' OVER 50 GRIEVANCE FILING TO MR. JONES TO "FILE A GRIEVANCE"

As D.C. MIND DEFENDANTS WETZEL & SMITH WERE GIVEN
 REGULAR REPORTS FROM THEIR SUBORDINATES: PALMOUTH CARRIER
 VARNER BARNACLE NEWTON & WHICH SAID REPORTS
 INFORMED WETZEL & SMITH OF THE ABUSES MR. JONES WAS
 SUFFERING @ 50 C/1-11

LEGAL CLAIMS

MR. JONES RE-ALLEGES & INCORPORATES PARAGRAPHS #

CLASS OF ONE - WHERE THE DEFENDANTS/TORT FEASORS MENTIONED
 FOREGOINGLY THRU-OUT COUNTS 1-~~2~~ KNEW THAT THEIR ACTS &
 OMISSIONS WOULD HAVE LEGAL RAMIFICATIONS/CONSEQUENCES WHEN
 THESE DEFENDANTS/TORT FEASORS CAUSED MR. JONES TO BE
 TREATED IN A WAY WORSE THAN OTHER PRISONERS SIMILARLY
 SITUATED TO MR. JONES

RETALIATION - WHERE THE DEFENDANTS/TORT FEASORS MENTIONED
 FOREGOINGLY THRU-OUT COUNTS 1-~~2~~ KNEW THAT THEIR ACTS &
 OMISSIONS WOULD HAVE LEGAL RAMIFICATIONS/CONSEQUENCES
 WHEN THESE DEFENDANTS/TORT FEASORS USED ILLEGAL BASIS TO
 TAKE ACTION AGAINST MR. JONES

FAILURE TO INTERVENE - WHERE THE DEFENDANTS/TORT FEASORS
 MENTIONED FOREGOINGLY THRU-OUT COUNTS 1-~~2~~ KNEW THAT THEIR
 ACTS & OMISSIONS WOULD HAVE LEGAL RAMIFICATIONS/CONSEQUENCES
 WHEN THEY FAILED TO STOP THEIR COLLEAGUES/EMPLOYEES/SUBORDINATES
 FROM VIOLATING MR. JONES CONSTITUTIONAL RIGHTS

CONSPIRACY — WHERE THE DEFENDANTS/TORT FEASORS MENTIONED FOREGOINGLY THRU-OUT COUNTS 1-7 KNEW THAT THEIR ACTS & OMISSIONS WOULD HAVE LEGAL RAMIFICATIONS/CONSEQUENCES WHEN THEY ENTERED INTO AGREEMENTS TO VIOLATE MR. JONES' RIGHTS

CRUEL & UNUSUAL PUNISHMENT — WHERE THE DEFENDANTS/TORT FEASORS MENTIONED FOREGOINGLY THRU-OUT 1-7 KNEW THAT THEIR ACTS & OMISSIONS WOULD HAVE LEGAL RAMIFICATIONS/CONSEQUENCES WHEN THEY SUBJECTED MR. JONES TO GROSSLY NEGLIGENT/DELIBERATE INDIFFERENT/MALICIOUS/INHUMANITY TREATMENT

VIOLATION OF DUE PROCESS — WHERE THE DEFENDANTS/TORT FEASORS MENTIONED FOREGOINGLY THRU-OUT COUNTS 1-7 KNEW THAT THEIR ACTS & OMISSIONS WOULD HAVE LEGAL RAMIFICATIONS/CONSEQUENCES WHEN THEY SUBJECTED MR. JONES TO DENIAL OF HIS RIGHT TO DUE PROCESS OF LAW

PA STATE LAW INTENTIONAL & CONVERSION TORTS — WHERE THE DEFENDANTS/FEASORS MENTIONED FOREGOINGLY THRU-OUT COUNTS 1-7 KNEW THAT THEIR ACTS & OMISSIONS WOULD HAVE LEGAL RAMIFICATIONS/CONSEQUENCES WHEN THEY VIOLATED MR. JONES' STATE LAW RIGHTS PER 42 PA.C.S.A. §§ 8545 - 8550

PA STATE LAW PECULIAR RISK & SUPERIOR KNOWLEDGE TORTS — WHERE THE DEFENDANTS/TORT FEASORS MENTIONED FOREGOINGLY THRU-OUT COUNTS 1-7 KNEW THAT THEIR ACTS & OMISSIONS WOULD HAVE LEGAL RAMIFICATIONS/CONSEQUENCES WHEN THEY HAD ACTUAL KNOWLEDGE OF UNNECESSARY RISKS TO MR. JONES YET DID NOTHING TO ALLEVIATE SAID RISKS

Case 4:18-cv-02352-MWB-LT Document 1 Filed 12/07/18 Page 24 of 27

IN ORDER TO HAVE THE TRUE LIMITS FOR FILMS AND COMPLAINT
TOLD BY THIS COURT MR. JONES WOULD LIKE TO DRAW THIS
COURT'S ATTENTION TO THE ATTACHED EXHIBITS # 2-3 WHICH
SHOWS STATE CORRECTIONAL INSTITUTIONS @: MARIANET, KERRICK,
BEAUFORT CONTAINING 10 DIFF. MR. JONES TO LOCAL DEPARTMENTS
WISH TO RESOLVE THIS CASE.

EXHIBITS :

[illegible]

THE SNAH RESPONSIBLE FOR HAVING MR. JONES' LEGAL WORK DESTROYED REGARDING THE ATTACHED PROPERTY TAG WERE ACTING IN RETRIBUTION AGAINST MR. JONES FOR FILING A COMPLAINT AGAINST THEM WHEN S.C.1 - FRICKVILLE C.O. KEVIN MAINS POINTED A SHOTGUN @ MR. JONES & THREATENED TO SHOOT HIM BECAUSE MR. JONES ASKED LT. MC ELWYN (?) FOR HIS ASTHMA INHALER.

3) PRESENTLY THE ADMIN. @ S.C.1 - FAYETTE IS WITHHOLDING MR. JONES' LEGAL DOCUMENTS WHICH IS CAUSING FURTHER DELAYS / INTERFERENCE / SABOTAGE / HINDRANCE / OBSTRUCTION

THE ABOVE POINTS ALONG WITH THE CONGRUENT EXHIBITS SHOW TOLLING IS REQUIRED IN THIS CASE.

MR. JONES RETAINS COPIES OF ALL THE DOCUMENTS THAT ARE BEING PRESENTED AS EXHIBITS TO THIS COMPLAINT

MR. JONES HAS NO ADEQUATE OR COMPLETE REMEDY @ LAW TO ADDRESS THE WRONGS DESCRIBED HEREIN, MR. JONES HAS BEEN & WILL CONTINUE TO BE IRREPAIRABLE INJURED BY THE CONDUCT OF THE DEFENDANTS UNLESS THIS COURT GRANTS THE DECLARATORY & INJUNCTIVE RELIEF WHICH MR. JONES SEEKS.

PRAYER FOR RELIEF

WHEREFORE MR. JONES RESPECTFULLY REQUESTS / PRAYS THAT THIS COURT ENTERS JUDGMENT GRANTING HIM:

A DECLARATION THAT THE ACTS & OMISSIONS DESCRIBED HEREIN VIOLATED MR. JONES' RIGHTS UNDER CONSTITUTION & LAWS OF THE UNITED STATES.

A DECLARATION THAT THE ACTS & OMISSIONS DESCRIBED
HEREIN VIOLATED MR. JONES' RIGHTS UNDER PENNSYLVANIA STATE LAW

A PRELIMINARY & PERMANENT INJUNCTION & DECLARATION
ORDERING DEFENDANTS TORTFEASORS: WETZEL & SMIAL TO ALLOW
MR. JONES UNOBSTRUCTED ACCESS TO HIS LEGAL DOCUMENTS & PROPERTY

COMPENSATORY DAMAGES IN THE AMOUNT OF \$ 250,000.00 AGAINST
EACH DEFENDANT JOINTLY & SEVERALLY

PUNITIVE DAMAGES IN THE AMOUNT OF \$ 25,000.00 AGAINST EACH
DEFENDANT

A JURY TRIAL ON ALL ISSUES TRIABLE BY JURY

MR. JONES' COSTS IN THIS SUIT

ANY ADDITIONAL RELIEF THIS COURT DEEMS JUST PROPER & EQUITABLE

DATED: Nov. 26, 2018

RESPECTFULLY SUBMITTED

MARCELLUS J. JONES
KR 2421 501- SMITHFIELD
P.O.B 999 1120 PIKE ST
HUNTINGDON PA 16652

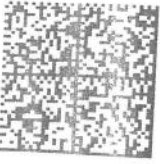
VERIFICATION

I HAVE READ THE FOREGOING COMPLAINT & HEREBY VERIFY THAT MATTERS
ALLEGED THEREIN ARE TRUE EXCEPT AS TO MATTERS ALLEGED ON INFORMATION &
BELIEF. AS TO THOSE I BELIEVE THEM TO BE TRUE & CORRECT

S. MARCELLUS JONES

MARCILLUS D. JONES
KR 2421 S.C. 1 - SMITHFIELD
BOX 999 1120 PIKE ST.
HUNTINGDON PA 16652

INMATE MAIL
PA DEPARTMENT
OF CORRECTIONS



CLERK OF COURTS PETER WELSH
U.S. COURT HOUSE
240 W. THIRD ST
WILLIAMSPORT PA 17701-6460



UNITED STATES
POSTAL SERVICE®

PRIORITY®

TRACKED

TRACKING #